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BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Application Number: 09/747,107
Filing Date: December 21, 2000
Appellant(s): AGNIHOTRI ET AL.

MAILED

MAY 30 2006

Technology Center 2600

Terry W. Kramer
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 14 February 2006 appealing from the Office action mailed 12 July 2006.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

6,263,507	Ahmad et al.	07-2001
6,580,437	Liou et al.	6-2003
5,093,718	Hoarty et al.	3-1992

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Satoh et al. "Name-It: Naming and Detecting Faces in News Videos" IEEE MultiMedia Article, 1070-986X/99, January-March 1999, page 22 col. 1-2 and page 25 col. 1-2.

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1-3, 7-9, 13-15, 19-21, 25-27, 29-31, and 34 are rejected under 35 U.S.C. 102(e) as being anticipated by Ahmad et al. (US006263507B1).

Regarding claim 1, Ahmad et al. (Ahmad) discloses a control device and system controller or "multimedia summary generator" for use in electronic devices such as televisions, a computer display monitor, or "video display system" (See Fig. 1; column 1 lines 10-20 and column 2 lines 60-67). The control unit and system controller is able to summarize multiple television news programs or "video programs" within a graphical user interface (GUI) or "multimedia summary" (See Fig. 2A and 2B; column 4 lines 40-60). The control device and system controller extracts video images or "audio-video segments" (See column 16 line 55 – column 17 line 10) and text from a transcript (See column 33 line 60 – column 34 line 10) and combines the extracted pieces to provide a summary of the television news broadcast within the GUI or "multimedia summary of said video program", wherein the summary criteria and GUI serve as the "audio-visual template" (See Fig. 2A, 2B, 3, and 4). Furthermore, Ahmad discloses the system can categorize the news programs and news stories or "identifying a domain of said video program" and selecting the news programs and stories video images and text

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“according to said domain” to be displayed to the user (See Fig. 2A, 201; Fig. 2B, 211 and 215; column 3 lines 26-33 and column 15 lines 8-42).

Regarding claims 2 and 3, the control device and system controller extracts video images that relates to the news stories or “topics” of the news program (See column 16 line 55 – column 17 line 10), where inherently the news stories or “topics” are selected “according to the domain of said video program” when defined by the system and requested by the user (See Fig. 2B, 215: i.e. world news, national news, local news, etc.). The news programs have different stories, which are identified within the transcript by markers or “topic cue”, wherein the system locates all the markers within the data or “determining a set of topic cues” (See column 23 lines 30-50). Each of the video images represents a news story within the GUI (See Fig. 2A and 2B), wherein the news story was located based on the markers or “topic cues”. Furthermore, the control device and system controller executes this process, where inherently it is capable of executing computer instructions within a memory coupled thereto.

Claim 7 contains the limitations of claim 1 (wherein the control device and system controller are embodied along with a television, a computer display monitor, or “video display system”) and is analyzed as previously discussed with respect to that claim.

Claims 8 and 9 contains the limitations of claims 2, 3, and 7 and is analyzed as previously discussed with respect to those claims.

Claim 13 contains the limitations of claim 1 and is analyzed as previously discussed with respect to that claim.

Claims 14 and 15 contains the limitations of claims 2, 3, and 13 and is analyzed as previously discussed with respect to those claims.

Claim 19 contains the limitations of claim 1 and is analyzed as previously discussed with respect to that claim. Furthermore, Ahmad discloses that the process can be executed via instructions within a computer readable medium encoded with one or more computer programs (See column 5 lines 5-10).

Claims 20 and 21 contains the limitations of claims 2, 3, and 19 and is analyzed as previously discussed with respect to those claims.

Regarding claim 25, the summary within the GUI has at least one video images of the news program, wherein the video images "relates to an identified domain of said video program" as discussed in claim 1 above (See Fig. 2A and 2B).

Regarding claim 26, the summary within the GUI has at least one text portion of transcript (See Fig. 2A and 2B; column 16 line 55 – column 17 line 10; column 33 line 60 – column 34 line 10).

Claim 27 contains the limitations of claims 2, 3, and 25 (wherein the GUI displays the summary information, including the video images representing each news story) and is analyzed as previously discussed with respect to those claims.

Regarding claim 29, the GUI displays text summaries of the news program or "text from said video program", pictorial representations of the news program or "single frame", and video images or "video segment" (See Fig. 2A and 2B; column 16 line 55 – column 17 line 10). Furthermore, Ahmad discloses that the system is also capable of

presenting information using audiovisual display or “audio-visual segment” (See column 2 line 60 – column 3 line 15).

Claim 30 contains the limitations of claims 2, 3, and 27 and is analyzed as previously discussed with respect to those claims. Furthermore, Ahmad discloses that the GUI has multiple video images or “a plurality of audio-visual segments representing each news story or “topic” (See Fig. 2b; column 16 line 64 – column 17 line 3).

Regarding claim 31, Ahmad discloses an information map region where the user can easily move freely among different news stories of the news program or “topic entry point”. Each row allows the user to jump from one news story to another and would display the associated video images and text related to that story (See Fig. 2A and 2B; column 16 lines 3-55).

Claim 34 contains the limitations of claims 30 and 31 and is analyzed as previously discussed with respect to those claims.

Claims 4-6, 10-12, 16-18, 22-24, 28, 32, 33, and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ahmad et al. (US006263507B1) in view of Liou et al. (US006580437B1).

Claim 4 contains the limitations of claims 1-3 and is analyzed as previously discussed with respect to those claims. However, Ahmad does not disclose a feature where the system can determine and identify subtopic cues and select a video image related to the subtopics to add to the GUI summary.

Liou et al. (Liou) discloses a system for organizing videos based on closed-caption information. The system constructs a video table of contents. The system builds a tree defining the different stories or "topic cues" and the different speakers or "subtopic cues" associated with the stories based on the symbols or markers within the closed caption data or "determining a set of subtopic cues" and "identifying at least one subtopic cue". The system breaks the video up according to the closed-caption data and the tree is made up of video shots and text that are associated with each story and speaker (See Fig. 5, 6, and 9; column 1 lines 20-30, column 2 lines 40-65, column 6 lines 35-55, column 7 lines 30-60). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify the control device and system controller disclosed by Ahmad to determine and identify speakers or "subtopic cues" within a news story and select a video image or shot related to the speaker to add to the GUI summary, as taught by Liou, in order to provide a more informative and detailed summary of the news program for the user.

Regarding claim 5, the control device and system controller performs all the functions of the "domain identification application", "topic cue identification application", "subtopic cue identification application", and "audio-visual template identification application" as discussed in claims 1-4.

Regarding claim 6, Ahmad discloses an information map region where the user can easily move freely among different news stories of the news program or "entry point for each topic". Each row allows the user to jump from one news story to another and would display the associated video images and text related to that story (See Ahmad

Fig. 2A and 2B; column 16 lines 3-55). Furthermore, Liou discloses that the organized tree of the video table of contents allows users to jump directly to different speakers or “entry point for each subtopic” (See Liou Fig. 8 and 9).

Claim 10 contains the limitations of claims 4 and 9 and is analyzed as previously discussed with respect to those claims.

Claim 11 contains the limitations of claims 5 and 9 and is analyzed as previously discussed with respect to those claims.

Claim 12 contains the limitations of claims 6 and 10 and is analyzed as previously discussed with respect to those claims.

Claim 16 contains the limitations of claims 4 and 15 and is analyzed as previously discussed with respect to those claims.

Claim 17 contains the limitations of claims 5 and 15 and is analyzed as previously discussed with respect to those claims.

Claim 18 contains the limitations of claims 6 and 16 and is analyzed as previously discussed with respect to those claims.

Claim 22 contains the limitations of claims 4 and 21 and is analyzed as previously discussed with respect to those claims.

Claim 23 contains the limitations of claims 5 and 21 and is analyzed as previously discussed with respect to those claims.

Claim 24 contains the limitations of claims 6 and 22 and is analyzed as previously discussed with respect to those claims.

Claim 28 contains the limitations of claims 4 and 27 (wherein each speaker has one video shot related to the speaker (See Liou Fig. 8 and 9)) and is analyzed as previously discussed with respect to those claims.

Claim 32 contains the limitations of claims 4 and 30 and is analyzed as previously discussed with respect to those claims. Furthermore, Official Notice is taken that it is well known to provide more than one video images or "plurality of audio-visual segments" for each speaker of a program. Therefore, it would have been obvious to modify the control device and system controller disclosed by Ahmad in view of Liou to provide more than one video images in order to provide a more detailed visual summary of where the speaker is in association with the story (For support of Official Notice; see 6,580,437 Fig. 9).

Claim 33 contains the limitations of claims 6, 31, and 32 and is analyzed as previously discussed with respect to those claims.

Claim 35 contains the limitations of claims 32 and 33 and is analyzed as previously discussed with respect to those claims.

Claims 36-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ahmad et al. (US006263507B1) in view of Name-It Feature Article and Hoarty et al. (US005093718A).

Claim 36 contains the limitations of claim 13 and is analyzed as previously discussed with respect to that claim. However, Ahmad does not disclose a feature

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where it obtains an image of a face of a person, verifies the identity, and adds the image of the face to the GUI summary.

The article Name-It discloses a method for matching faces in a news video with their name or "identity". The method extracts the face of a person from a video and the name of the person from the transcript of the video. Then it compares the collected information to the face similarity information to confirm that the name is matched to the correct face (See page 22 column 1 and 2, page 25 column 1 and 2). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify the control device and system controller disclosed by Ahmad to extract an image of a face of a person and confirm the persons name, as taught by the article Name-It, in order to provide a means of correctly identifying the people on the video so that the user is aware of who is presenting the story.

Hoarty et al. discloses an interactive home information system where users can obtain information about TV listing for the month. The system provides images of actors or scenes from movies and TV shows within the information or "summary" (See column 7 lines 20-30). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify the control device and system controller disclosed by Ahmad to add the image of the face to the GUI summary, as taught by Hoarty et al., in order to provide a more detailed summary of the story and who is presenting the story in one convenient screen.

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Regarding claim 37, the system confirms the identity of the person by using the face similarity information of the person and the name from the transcript as discussed in claim 36.

Claim 38 contains the limitations of claims 36 and 37 and is analyzed as previously discussed with respect to those claims. Furthermore, Official Notice is taken that it is well known to use voice recognition to identify a person. Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify the control device and system controller disclosed by Ahmad in view of Name-It to identify a person using voice recognition in order to provide a more accurate means of correctly identifying the person (For support of Official Notice; see 2002/0056082 paragraph 0077).

(10) Response to Argument

Regarding claims 1, 2, 7, 8, 13, 14, 19, 20, 25-27, 29-31, and 36-38, appellant argues that Ahmad does not identify a domain of the video program and select portions of transcripts and audio-visual segments according to the domain. However, reading the claims in broadest sense, Ahmad does meet the limitations of the claims. Appellant's specification defines domain to be equivalent to the category of the video program (See specification page 19 lines 15-20). Ahmad discloses that user can "identify a domain of a video program" by selecting one of the topic icons (e.g. subject matter category) shown in Fig. 2b (e.g. national news, world news, local news, business news, and sports news) (See column 3 lines 20-33). When the user selects, for example national

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news, the system provides the user with summaries of news that satisfies the request for national news (e.g. Headline News and NBC Nightly News).

Furthermore, appellant argues that the summary generator identifies the domain, not by the user. However, as disclosed by Ahmad, the user does identify a category or "domain" they wish to view by selecting one of the buttons 215 (See Fig. 2b). This also instructs the system or "summary generator" to identify news programs that meets the criteria in order to successfully display news programs that meet the specified category or "domain" (See column 3 lines 20-33).

Regarding claims 3, 9, 15, and 21, appellant argues that the examiner misinterprets "topic cues". However, reading the claims the in broadest sense, Ahmad does meet the limitations of the claims. Appellant's specification defines topic cues to be indications of transition points in a video program (See specification page 20 lines 15-19). Ahmad discloses that news programs have different stories and the transition from one story to another are identified by markers or "topic cues" (See column 23 lines 30-50).

Regarding claims 4-6, 10-12, 16-18, 22-24, 28, 32, 33, and 35, the examiner incorporates the arguments presented above for claims 1, 2, 7, 8, 13, 14, 19, 20, 25-27, 29-31, and 36-38.

Appellant is reminded that although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Support for the Official Notice taken on claim 32 has been provided. Upon further review of Liou, it is found that Liou discloses more than one video images or "plurality of audio-visual segments" for each speaker (See Liou Fig. 9). Furthermore, support for the Official Notice taken on claim 38 is found in Patent 2002/0056082 paragraph 0077.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.


For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

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